THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.21441 of 2006

Dated:22.11.2006

Between
T.Krishna Reddy

.....Petitioner

and

1.The Revenue Divisional Officer,
Penukonda, Anantapur District

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.21441 of 2006

ORDER:

This writ petition is filed seeking a Mandamus to declare the order of the 1st respondent passed in Rc.No.36/06/C, dated 20.09.2006 placing the authorization of the petitioner under suspension, as illegal and arbitrary.

It appears that the petitioner was the fair price shop dealer of Kotapalli Village, Tanakal Mandal, Anantapur District. While so, the Mandal Revenue Officer submitted a report dated 28-12-2005 to the Joint Collector, Anantapur District stating that the petitioner has committed certain irregularities and therefore, recommended for taking action against him. In view of the same, the impugned suspension-cum-show cause notice dated 20.09.2006 was issued and as many as five

charges were enumerated therein. Though the other charges are not serious, Charge No.5 states that some of the card holders of Chinapalli seized 40 liters of kerosene oil at bus stop while it is kept to send to Tanakal in a private bus and the same is under the custody of Gram Panchayat Secretary and separate action under Section 6-A of the Essential Commodities Act has been initiated.

There is a specific charge against the petitioner and therefore, it cannot be said that suspending the authorization of the petitioner is not in public interest. I am of the opinion that the petitioner has not made out any ground to interfere with the impugned suspension-cum-show cause notice dated 20.9.2006.

Learned Government Pleader states that an alternative arrangement has been made by appointing the adjacent fair price shop dealer Venkatanarayana, Mundlavaripalli Village to avoid inconvenience to the card holders of Kotapalli.

In view of the above, the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. However, this will not preclude the petitioner from availing the remedy of filing a statutory appeal before the Joint Collector, Anantapur District against the impugned suspension-cum-show cause notice. If any such appeal is being filed, the same shall be entertained by the Joint Collector without raising any objection as to the limitation. No costs.

_____

22-11-2006

rkk